

REMARKS

This Response is submitted in reply to the Non-Final Office Action dated November 26, 2008. Claims 1-5 and 7-12 are pending in this application. Claims 1-5 and 7-12 are rejected. In response, Claims 14 and 15 have been newly added. The amendment does not add new matter. In view of the amendment and/or for the reasons set forth below, Applicants respectfully submit that the rejections are improper and should be withdrawn.

Rejections under 35 U.S.C. 103

In the Office Action, Claims 1, 2, 5, and 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2002/0162111 to Shimizu et al. ("Shimizu"), in view of U.S. Patent No. 6, 992,788 to Fujiwara ("Fujiwara"), in view of U.S. Patent No. 7,085,843 to Buddhikot et al ("Buddhikot"), in view of U.S. Patent No. 5,583,576 to Perlman et al. ("Perlman"). Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu, in view of Buddhikot, in view of Perlman. Applicants respectfully disagree and traverse the rejections for at least the reasons set forth below.

Regarding independent Claims 1-7 and 11-12, Applicants respectfully submit the cited prior art fails to disclose or suggest "a ranking and popularity are associated with each tile" as is claimed and fully supported by the specification. The Examiner acknowledges that Shimizu and Fujiwara are silent regarding these limitations and relies on Buddhikot to cure their deficiencies. See e.g., Office Action, page 7, lines 5-13. Applicants respectfully disagree and submit that Buddhikot discloses, "the inventive caching method caches **popular segments of the [media] clips** with higher probability." Buddhikot, column 11, lines 6-7 (emphasis added). Even if, arguendo, Buddhikot taught a ranking and popularity are associated with segments of media clips, Applicants assert that one ordinarily skilled in the art would not equate a segment of a media clip with a **tile** as claimed. For example, a media clip may be outputted on tiles, but a media clip is not a tile itself. See e.g. paragraph [0072] and Fig. 9 of the published specification disclosing showing an image on the tiles of a screen. Also see Buddhikot, column 13, lines 34-58 and Figs. 6a and 6b disclosing storing media clips in a two-dimensional Streaming Cache (SC), and not tiles of a screen. Thus, the cited prior art fails to disclose or suggest a ranking and popularity are associated with each tile.

Applicants respectfully submit Perlman fails to cure the deficiencies of Shimizu, Fujiwara, and Buddhikot. Accordingly, Applicants request the obviousness rejections with

respect to independent Claims 1-7 and 11-12 and Claims 8-10 that depend thereon be reconsidered and the rejections withdrawn.

New Claims

Applicants note that Claim 14 and 15 been newly added. Claim 14 recites, in part, “a display means for outputting a screen divided into a plurality of tiles.” The amendment is fully supported by the specification. For example, see paragraph [0072] of the published specification.

Claim 15 recites, in part, “wherein the calculating means calculates the popularity of the specific tile based on information of an adjacent tile.” The amendment is fully supported by the specification. For example, see paragraphs [0094]-[0095] and Fig. 19 of the published specification.

Applicants respectfully submit that the subject matter as defined in the newly added claims is patentable over the cited art of record for at least the same reasons as discussed above, and for the additional patentable elements recited therein. For example, Buddhikot discloses “clip popularity (i.e., how often a clip is requested).” Buddhikot, column 2, lines 65-66. Thus, Buddhikot discloses popularity is based on how often a clip is requested and not based on information of an adjacent tile. Moreover, the new claims clarify the difference between the claimed “tile” and Buddhikot’s “segments of media clips” as previously discussed.

Conclusion

For at least the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of the same.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-418 on the account statement.

Respectfully submitted,
BELL, BOYD & LLOYD LLP

BY 

Thomas C. Basso
Reg. No. 46,541
Customer No. 29175

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